

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
Norfolk Division

LINDA OLSON,

Plaintiff,

CIVIL ACTION NO.:

v.

UNITED STATES OF AMERICA,

Defendant.

**COMPLAINT**

Plaintiff, by counsel, hereby moves this Court for judgment and execution against the Defendant, for the following:

1. The Plaintiff was a military dependant in August of 2013, when she sought treatment at Portsmouth Naval Hospital.
2. While at Portsmouth Naval Hospital, the Plaintiff was treated by various government employees, including, but not limited to, Dr. Kevan E. Mann.
3. The Defendant, the United States of America, through its employees, and specifically through Dr. Mann, determined that the Plaintiff was a candidate for gastric bypass surgery and scheduled her for the same.
4. The Court has jurisdiction of this matter pursuant to 28 U.S.C. §1346.

5. Venue is proper in this court pursuant to 28 U.S.C. §1391, in that the claim giving rise to this cause of action occurred within the Norfolk Division of the Eastern District of Virginia.

6. At all relevant times, the Defendant, through its employees, owed a duty to the Plaintiff to provide her that degree of care and skill of a reasonably skilled health care provider practicing in Virginia at the same time and place.

7. Notwithstanding said obligations, the Defendant, through its employees, specifically Dr. Mann, breached those duties, in that, among other things, the Plaintiff was not a candidate for gastric bypass surgery and should never have had the procedure done; and assuming the procedure should have been done, Dr. Mann performed it in a negligent manner.

8. Dr. Mann's conduct, as well as the conduct of other employees of the Defendant at that time, was negligent and breached the applicable standard of care.

9. As a direct result of the conduct of the Defendant's employees as set out above, the Plaintiff was caused to suffer significant physical and emotional injuries.

10. As a direct result of the negligence set out above and the injuries suffered by the Plaintiff, she has incurred great pain, suffering, mental anguish and inconvenience. She has incurred substantial medical bills, has been unable

to work at her calling, has been unable to handle her normal day-to-day affairs, and has generally been disabled and limited in every aspect of her life.

WHEREFORE, the Plaintiff prays for judgment and execution against the Defendant in the amount of TWO MILLION, THREE HUNDRED FORTY-SEVEN THOUSAND, FIVE HUNDRED FIFTY-EIGHT DOLLARS (\$2,347,558.00) plus pre and post-judgment interest, plus all of her costs in proceeding with this matter.

LINDA OLSON

By 

Of Counsel

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